

AMENDED IN SENATE MAY 7, 2014

AMENDED IN SENATE MARCH 24, 2014

**SENATE BILL**

**No. 999**

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**Introduced by Senator Liu**

February 13, 2014

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An act to add Article 7 (commencing with Section 79220) to Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code, and to amend Section 18926.5 of the Welfare and Institutions Code, relating to social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 999, as amended, Liu. CalFresh: student eligibility.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, formerly the Food Stamp Program, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Under existing law, households are eligible to receive CalFresh benefits to the extent permitted by federal law. Existing federal law provides that a student who is enrolled at least half-time in an institution of higher learning is not eligible to receive supplemental nutrition assistance benefits, unless he or she meets one of several specified exemptions.

This bill would require the Office of the Chancellor of the California Community Colleges and the Department of Social Services, to examine and interpret those exemptions and establish clear and detailed guidelines identifying the categories of students that may qualify for an exemption and the programs in which enrollment may qualify a student for an exemption. *The bill would state the Legislature's recommendation that the office of the Chancellor of the California State*

*University and the Office of the President of the University of California, in conjunction with the department, similarly examine and interpret those exemptions and establish guidelines.* The bill would also require a community college to provide documentation, as specified, ~~to a student who is enrolled in a program potentially qualifying him or her for each student identified as qualifying for an exemption.~~ By imposing additional duties on community colleges, this bill would impose a state-mandated local program.

Existing law authorizes counties to participate in the CalFresh Employment and Training ~~Program~~ *program* (CalFresh E&T), established by federal law with the purpose of assisting members of CalFresh households in gaining skills, training, work, or experience that will increase their ability to obtain regular employment. Existing law requires participating counties to screen CalFresh work registrants to determine whether the registrants will participate in, or be deferred from, the CalFresh E&T program. Existing law requires a county that elects to participate in CalFresh E&T to demonstrate how it is successfully using CalFresh E&T funds for each component that it offers, which may include, among others, work experience and training.

This bill would authorize a county that elects to participate in the CalFresh E&T program to enter into an agreement with a community college or a California State University to establish ~~subsidized employment opportunities~~ *an employment and training program*, financed using federal funds *or federally matched funds*, for students attending those postsecondary institutions ~~who are required to participate in, or who have elected to voluntarily participate in, the CalFresh E&T program, if the agreement is approved by the United States Department of Agriculture as part of the CalFresh E&T program plan.~~ *The bill would similarly authorize the Office of the Chancellor of the California Community Colleges and the department to enter into an agreement with a community college for those purposes.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

SECTION 1. Article 7 (commencing with Section 79220) is added to Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code, to read:

Article 7. Student Eligibility for CalFresh

79220. The Office of the Chancellor of the California Community Colleges and the Department of Social Services shall examine and interpret the exemptions to the prohibition on student eligibility for CalFresh benefits, identified in Section 2015(e) of Title 7 of the United States Code and Section 273.5(b) of Title 7 of the Code of Federal Regulations, and shall establish clear and detailed guidelines identifying the categories of students that may qualify for an exemption and the programs in which enrollment may qualify a student for an exemption. *The Legislature recommends that the Office of the Chancellor of the California State University and the Office of the President of the University of California, in conjunction with the Department of Social Services, also examine and interpret the exemptions identified in this section and establish clear and detailed guidelines identifying the categories of students that may qualify for an exemption and the programs in which enrollment may qualify a student for an exemption.*

79230. A community college shall provide documentation to each student ~~who is enrolled in a program that has been identified pursuant to Section 79220 as a program potentially qualifying him or her~~ for an exemption to the prohibition on student eligibility for CalFresh benefits, identified in Section 2015(e) of Title 7 of the United States Code and Section 273.5(b) of Title 7 of the Code of Federal Regulations, at the time that the student develops an education plan, as required by Section 78215, and at any other time a student requests that documentation. *To the degree possible, waiver eligibility verification shall be satisfied by documentation already provided to the students enrolled in school.*

SEC. 2. Section 18926.5 of the Welfare and Institutions Code is amended to read:

18926.5. (a) For the purposes of this chapter, “CalFresh Employment and Training program” or “CalFresh E&T” means

1 the program established under Section 6(d)(4)(B) of the federal  
2 Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015), Section  
3 273.7 of Title 7 of the Code of Federal Regulations, and associated  
4 administrative notices published by the United States Department  
5 of Agriculture with the purpose of assisting members of CalFresh  
6 households in gaining skills, training, work, or experience that will  
7 increase their ability to obtain regular employment.

8 (b) (1) A county that elects to participate in the CalFresh  
9 Employment and Training (CalFresh E&T) program, as authorized  
10 by the federal Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015),  
11 shall screen CalFresh work registrants to determine whether they  
12 will participate in, or be deferred from, the CalFresh E&T program.  
13 If deferred, a CalFresh work registrant may request to enroll in the  
14 CalFresh E&T program as a voluntary participant. An individual  
15 shall be deferred from a mandatory placement in the CalFresh  
16 E&T program if he or she satisfies any of the criteria in Sections  
17 273.7 and 273.24 of Title 7 of the Code of Federal Regulations, if  
18 he or she resides in a federally determined work surplus area, or  
19 if he or she is a veteran who has been honorably discharged from  
20 the United States Armed Forces.

21 (2) For purposes of this section, “deferred” has the same  
22 meaning as exempt.

23 (c) (1) A county that elects to participate in the CalFresh E&T  
24 program shall be required to demonstrate in its CalFresh E&T plan  
25 how it is effectively using CalFresh E&T funds for each of the  
26 components that the county offers, including, but not limited to,  
27 any of the following:

28 (A) Self-initiated workfare.

29 (B) Work experience or training.

30 (C) Education.

31 (D) Job search.

32 (E) The support services or client reimbursements needed to  
33 participate in subparagraphs (A) to (D), inclusive, as allowed by  
34 federal law and guidance.

35 (2) This section shall not be construed to require a county to  
36 offer a particular component as a part of its CalFresh E&T plan.

37 (d) This section does not limit a county’s ability to condition  
38 the receipt of nonmedical benefits under Section 17000 on an  
39 individual’s participation in an employment and training or  
40 workfare program of the county’s choice, even if that program is

1 financed in whole or in part with CalFresh E&T funds or match  
2 funds.

3 (e) This section does not restrict the use of federal funds for the  
4 financing of CalFresh E&T programs.

5 (f) (1) A county that elects to participate in the CalFresh E&T  
6 program may enter into an agreement with a community college  
7 or a California State University in order to establish ~~subsidized~~  
8 ~~employment opportunities~~ *an employment and training program*,  
9 financed using federal funds *or federally matched funds*, for  
10 students attending those postsecondary institutions ~~who are~~  
11 ~~required to participate in, or who have elected to voluntarily~~  
12 ~~participate in, if the agreement is approved by the United States~~  
13 *Department of Agriculture as part of the CalFresh E&T program*  
14 *plan.*

15 (2) *If the Board of Governors of the California Community*  
16 *Colleges and the State Department of Social Services elect, they*  
17 *may enter into an interagency agreement authorizing the board*  
18 *to enter into an agreement with one or more community colleges*  
19 *to establish an employment and training program financed, in*  
20 *part, with federally matched funds to support increased education*  
21 *and employment opportunities for low-income students who are*  
22 *CalFresh recipients, if the agreement is approved by the United*  
23 *States Department of Agriculture as part of the CalFresh E&T*  
24 *program plan.*

25 (g) This section shall not be construed to require a county to  
26 provide for workers' compensation coverage for a CalFresh E&T  
27 participant. Notwithstanding Division 4 (commencing with Section  
28 3200) of the Labor Code, a CalFresh E&T participant shall not be  
29 an employee for the purposes of workers' compensation coverage  
30 and a county shall have no duty to provide workers' compensation  
31 coverage for a CalFresh E&T participant.

32 (h) Notwithstanding the rulemaking provisions of the  
33 Administrative Procedure Act (Chapter 3.5 (commencing with  
34 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
35 Code), the department may implement this section by all-county  
36 letters or similar instructions. Thereafter, the department shall  
37 adopt regulations to implement this section by October 1, 2013.

38 SEC. 3. If the Commission on State Mandates determines that  
39 this act contains costs mandated by the state, reimbursement to  
40 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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